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National Contact Point Germany  
within the European Migration Network

**Small Scale Study:**

Reception Systems, their Capacities and the Social Situation of  
Asylum Applicants within the Reception System  
in the EU Member States



## **1. Short Historical Overview of the Development of Reception Facilities**

The development of the reception facilities in the Federal Republic of Germany is closely related to the history of today's Nuremberg-based Federal Office for Migration and Refugees, and commences on the site of the former prisoners of war camp in Langwasser: in 1946, the Americans allowed the United Nations Relief and Rehabilitation Administration (UNRRA) to use a part of this camp for the allocation of displaced persons. As the camp was occupied until 1949 mainly by Latvians and Estonians, they named the camp after the Latvian-Estonian border town of Valka.

Even after the official dissolution of the camp – the majority of the persons from the Baltic had long emigrated to overseas – the name of “Valka Camp” was retained. In 1947, the UNRRA was replaced by the International Refugee Organisation (IRO) which handed over the camp to the German refugee authorities. During the following years, the “Federal Government Camp for Displaced Persons” was predominately occupied by refugees coming from the Eastern European socialist countries.

With the translation of the Geneva Convention into national law in 1953, the “Decree on the Recognition and Distribution of Foreign Refugees” entered into force. This also marks the beginning of the Federal Office as a “Federal Government Department for the Recognition of Foreign Refugees” equipped with a staff of 40 employees and located in Nuremberg-Langwasser. Within the Valka Camp, an additional “Federal Collective Point for Foreigners” was established in 1953. All asylum applicants residing in the federal territory were to be allocated centrally and provided care until their final allocation to a reception centre had been specified. The camp was designed to host 1,200 persons. In 1954, the “Federal Government Camp for Displaced Persons” was dissolved.

As early as March 1954, the newly established “Federal Collective Point for Foreigners” hosted 1,065 persons and was almost fully occupied. Between 1953 and 1957, a total of 7,500 asylum applications were filed. With more than 3,000 persons from 36 nations, the facility's capacity was clearly exceeded in March 1957.

In the mid-50s, the first plans were made to move the facility to Zirndorf. As early as 1955, the first 46 foreign refugees had been moved to the former police barracks in Zirndorf. The building had been converted into a model camp with funds provided by the American Refugee Program. To extend the Zirndorf camp, the Federal Government had build an administrative building and two accommodation facilities for 500 to 700 persons each.

With the Foreigners Act of 28<sup>th</sup> April 1965, the “Federal Government Department” was upgraded to become the “Federal Office for the Recognition of Foreign Refugees”. The number of refugees who primarily came from the former communist states of the Eastern block remained constantly low at about 5,000 asylum applications. An exception marked the wave of refugees caused by the “Prague Spring” in the years 1968/69. Following the civil war-like conflicts and a military coup in Turkey in 1979/1980, the situation underwent fundamental changes. A strong increase in the number of asylum applicants to over 100,000 was registered, of which 55,000 were filed by Turkish citizens alone. Compared with nominally 450 reception places only, temporarily up to 1,100 persons had to be allocated, some of them even in tents.

Due to the continuously high influx of asylum applicants, a centralised reception in one single centre was no longer feasible. Therefore – since 1<sup>st</sup> August 1977 - asylum applicants in principle stayed at the Länder (hereinafter referred to also as “federal state” or “federal states”) rather than being transferred to the Zirndorf Camp. In order to guarantee an appropriate distribution to the federal states of the new asyl applicantes entering the country, the interior ministers of the federal states agreed on 22<sup>nd</sup> June 1978 on an equalisation scheme between the federal states on the basis of firm allocation quota. But even this arrangement did not prove to be satisfactory in the long run. Some federal states participated in the distribution scheme only partially. Even the legal basis and the binding nature of the notices of distribution applicable for the asylum applicants was further discussed controversially. Therefore, the introduction of the Asylum Procedure Act on 16<sup>th</sup> July 1982 was to constitute a statutory regulation of the distribution scheme to allow an appropriate equalisation of burdens among the federal states. Also the allocation of the asylum applicants in shared accommodation facilities was regulated in the Act.

With the fall of the socialist regimes in Eastern Europe and the fall of the “iron curtain”, the increase in the number of asylum applicants was boosted again. In 1990, almost 200,000 persons applied for asylum. With 438,000 persons, the highest level was reached in 1992.

The Federal Office took a number of actions in response to this situation: the number of employees was increased to 4,100; throughout Germany, 48 branch offices were established to allow the federal states to open reception facilities with an average capacity of 500 beds each.

As a result of this development, the political parties of CDU, CSU, SPD and FDP agreed in 1993 on a wide-ranging re-conception of the asylum law, the so-called "Asylum Compromise". Within the framework of the reform of the asylum law, also the new Article 16a of the German Basic Law was created and amended. The granting of the right to asylum as a fundamental right remains in existence. Provisions were introduced, however, by which it was to be attained that in the future only those persons should be entitled to stand on their right to asylum who are really in need of protection of the Federal Republic of Germany for being a victim of political persecution. In the following years, the number of asylum applicants had fallen continuously and reached 35,600 persons in 2004 (cf. Federal Office for Migration and Refugees, Migration und Asyl in Zahlen, 2004 (Facts and Figures on Migration and Asylum)). Due to this development, the number of branch offices of Federal Office and the reception facilities was reduced to 22. In January 2005, a total of 11,431 beds were available throughout Germany to allocate asylum applicants, 4,382 of which were not occupied.

## **2. Asylum Application Procedures and Legal Framework**

### **2.1 Asylum Application Procedures**

According to Article 16a of the German Basic Law, persons persecuted for political reasons enjoy the right on asylum in the Federal Republic of Germany. A person wishing to make use of this right has to undergo a recognition procedure. The proceeding of an asylum procedure is regulated by the Asylum Procedure Act and is as follows since 1<sup>st</sup> July 1993 (cf. for fundamentals e.g. Giesler/Wasser, Das neue Asylrecht, 1993 (The new Asylum Law)):

If a person seeking asylum registers with the border authority, he or she will be referred to the nearest reception facility whose set-up and operation is the charge of the corresponding federal state. This, however, does not apply in case the foreigner fulfils the requirements under which he or she can be refused entering the country, e.g. because he or she enters Germany coming from a safe third country. In case of aliens without valid identity papers or entering from a safe third country by air, the asylum procedure will be carried out in the airport's transit area before entering the country, if an allocation in a reception facility on the airport premises is possible. If the alien reveals to be seeking asylum after having entered the country, he or she is at first also referred to the nearest

reception facility, fingerprinted and photographed as well as allocated in the facility. By means of the Germany-wide operated distribution system EASY (Initial distribution of asylum applicants) it is determined which primary reception facility is in charge of his or her accommodation. The reception quota for each federal state is determined on the basis of the so-called "Königsteiner Key" which is calculated yearly and takes into consideration the tax revenue and the total population of each single federal state (cf. Marx, Kommentar zum Asylverfahrensgesetz, 5. Auflage (Comment on Asylum Law, 5<sup>th</sup> Edition)).

If the asylum applicant has not already been accommodated in the reception facility in charge following this procedure, he or she will be transferred to the corresponding facility and registers with one of the branch offices of the Federal Office which are located in direct proximity of the reception facility to file his or her asylum application. In the local Asylum Procedure Secretariat, an asylum file is then created for the asylum applicant. Upon receipt of the asylum application, the personal data of the alien are entered into the MARiS IT system (cf. Federal Office for Migration and Refugees, Der Einzelentscheider-Brief 12/2002 (The Examination Officers' Bulletin)). At this point, it is checked whether the application is the first application, a follow-up application or a multiple application. For that purpose, also the outcome of the comparison of the fingerprints taken during fingerprinting and photographing is analysed by using the AFIS (Automatic Fingerprint Identification System) system located at the Federal Office of Criminal Investigation (BKA). Moreover, a comparison with the European fingerprint identification system EURODAC is carried out in order to find out if the asylum applicant has filed an asylum petition in another EU Member State already before. Finally, the data is compared with the information contained in the Central Aliens Register. The asylum applicant is granted a residence permit which gives him or her a provisional residence title for the time the asylum procedure is ongoing in the Federal Republic of Germany.

Subsequently, the hearing of the asylum applicant prescribed by law is conducted by an Examination Officer of the Federal Office in the presence of an interpreter. For the hearing of persons persecuted for gender-specific reasons, unaccompanied minors, victims of torture and traumatised asylum applicants especially trained personnel is employed (cf. e.g. Kossen, Die Tatsachenfeststellung im Asylverfahren, 1999 (The fact finding in asylum procedures)). The asylum applicant must attend the hearing personally, which is in principle not open to the public. He or she is obliged to explain the reasons for being persecuted, to provide facts for these reasons and to present existing documents. On his or her

declarations in the hearing minutes are taken which are retranslated for the applicant and normally are handed out in copy upon termination of the hearing.

If there is an indication that another EU Member State is competent, the case is handed over to the organisational unit of the Federal Office which is in charge of examining the competence of another EU Member State according to EU Directive (EC) 343/2003 dated 18<sup>th</sup> February 2003 on the determination of the Member State which is in charge of the examination of asylum petitions presented by a citizens of a third country (Dublin II). If the national competence is upheld upon termination of the examination, the Examination Officer takes the decision on the asylum application on the basis of the synopsis of all relevant findings, in particular of the hearing and possible further investigations to clarify the facts arranged by the Examination Officer, and on the basis the findings provided by the Asylum and Migration Information Centre of the Federal Office. Besides the information and situation reports of the Federal Foreign Office (AA), the sources of information comprise information and reports of the UNHCR, amnesty international, reports of scientific institutes as well as press articles and expert literature. The Examination Officer makes use of the information data bank MILO (Migration-InfoLogistics), which provides online access to several hundreds of thousands of information on all countries of origin and on their jurisdiction. For taking a decision on the asylum application, above all the individual persecution history is of relevance. The decision on the asylum application is issued in writing and contains a statement of reasons. It is provided the asylum seeker along with instructions about the legal remedies available.

The asylum applicant may appeal the rejection or another negative decision of the Federal Office for Migration and Refugees at an Administrative Court. If his or her asylum application is turned down as manifestly unfounded, the asylum applicant may appeal this decision within one week and apply for an order of suspensive effect on the execution of the deportation. In a proceeding of temporary relief, the Administrative Court decides in advance on the application of the order of suspensive effect.

In case the asylum petition being rejected as unfounded (for single reason), there is the possibility to file an action within a term of two weeks following delivery of the notification. If an action is filed in such case, deportation is possible only after the final and negative conclusion of the proceeding. If the rejection is confirmed by the court, the alien is obliged to leave the country. If he or she does not fulfil this obligation, the asylum applicant will be deported to the country of origin. However, if the court finds the requirements for a recognition or a ban on deportation to be fulfilled, it cancels the notification

correspondingly and obliges the Federal Office to recognise the applicant or to declare the ban on deportations (cf. Hailbronner, Kommentar zum Ausländerrecht (Alien Law, commentary)).

The asylum applicant may seek at any stage of the proceeding the support of a legal adviser.

If the applicant is recognised as entitled to asylum or pursuant with the Geneva Convention, he or she is granted a residence permit limited to a maximum term of three years. Within the Federal territory, he or she enjoys the legal status pursuant to the Geneva Convention as well as privileges as regards labour, occupational and social rights. After three years, he or she has the right to be granted a settlement permit (unlimited), provided that the Federal Office certifies that there are no reasons for revoking or withdrawing the positive decision (cf. Marx, Kommentar zum Ausländer- und Asylrecht, 2005 (Alien and Asylum Law, commentary)).

The total length of the asylum procedure is mainly determined by the circumstances of each individual case, and in particular by the question whether or not and what kind of evidence needs to be collected. Another important criterion during years was also the high work load at the Administrative Courts. As regards the length of procedures handled by the Federal Office, statistical data show that 34 per cent of the asylum applications filed after 1<sup>st</sup> January 2003 were decided after one month, while 62 per cent were decided after three months and 80 per cent after six months.

## **2.2 Legal Framework of Reception Conditions**

Most aspects of the allocation of and the care for asylum applicants are regulated in the Asylum Procedure Act and the Law governing Benefits for Asylum Seekers (cf. Gemeinschaftskommentar zum Asylbewerberleistungsgesetz (Joint Commentary on the Law governing Benefits for Asylum Seekers). However, in charge of providing allocation and care to asylum applicants are the federal states. The Asylum Procedure Act provides that the Head of the Federal Office shall establish a branch office at each “central reception facility for asylum applicants” (reception facility) that has a minimum of 500 accommodation places. The federal states are obliged to set-up and maintain the reception facilities needed for the accommodation of asylum applicants and to offer a number of accommodation places in accordance with the reception quota determined by law (cf. Marx, Kommentar zum Asylverfahrensgesetz, 2005 (Asylum Law, commentary)).

Aliens having to file their asylum application at a branch office of the Federal Office are obliged to live in the reception facility in charge of their accommodation for a term of up to six weeks, but not longer than three months. This accommodation obligation ends in advance, especially if the alien is allocated to another place of abode or another facility due to the internal distribution policy of the corresponding federal state or in case his or her asylum application was granted (Krais/Tausch, Asylrecht und Asylverfahren, 1995 (Asylum Law and Asylum Procedure)).

If the asylum procedure takes longer time, the federal states are obliged to internally distribute the asylum applicants within their territory and to provide them with living accommodation. As a rule, the applicants should be allocated in shared accommodation facilities. Shared accommodation facilities are normally municipal facilities, i.e. hostels, converted office buildings or camp complexes. The shared accommodation facilities might be located in the same building as the reception facility. In contrast to the reception facility, however, the shared accommodation facility must offer suitable conditions to host asylum applicants during a longer period of time. The municipal authorities are in charge of the actual equipment and the occupation of shared accommodation facilities. However, the accommodation in flats, hotels or guesthouses is possible as well. The asylum applicant has not the right to move out of the shared accommodation facility. When taking their discretionary decision on the duty to live in a shared accommodation facility or on the allowance to live in a private flat, the Aliens Departments balances the public interest and the private interests of the asylum applicant. Of private interest are considered, inter alia, the spouse's own flat, the chance to find employment or an extraordinarily long asylum procedure.

The alien is obliged to stay within the district of the Aliens Department in charge of him or her. Only in urgent cases exceptions to this provision might be made. This restriction is entered into the identity papers (residence permit).

### **3. Organisation, Number and Capacities of Reception Facilities**

#### **3.1 Organisation of Reception Facilities**

The Asylum Procedure Act stipulates that the federal states are to provide the number of accommodation places required for reception. Pursuant to the provisions of the Law governing the Benefits for Asylum Seekers, the authorities charged by the government of the federal state have the possibility to define further details of the procedure to look for the most suitable form of accommodation on the spot. It might be the case, for example,

that a municipal district does not dispose of share accommodation facilities. Then, the accommodation will be provided for in municipal or rented flats (cf. a. Goldmann/Schwabe, Praxishandbuch zum Asylbewerberleistungsgesetz, 1999 (Practical Manual on the Law governing the Benefits for Asylum Seekers)).

The funds required for accommodation and provision of care are provided out of the budgets of the federal states and paid to the corresponding provider of the service. On local level, the latter are often governmental or non-governmental organisations who are already active in welfare work. The average costs incurred per asylum applicant cannot be determined as they need to be calculated individually for each reception facility, shared accommodation facility or individual accommodation. Either the premises are owned by the federal state or the municipal authority or the objects are used on a rental basis. Equipment and special features are as different as the number of personnel employed. Different costs are incurred for a hostel to accommodate exclusively men than for a family flat. The expenses for the accommodation of unaccompanied minors in a children's home differ from those for their accommodation in an orphans' home or from the accommodation of young people in a young people's home (Peter, Das Recht der Flüchtlingskinder, 2001 (The right of refugee children)).

### **3.2 Number, Capacities and Distribution**

The number of asylum applicants that can be accommodated in reception facilities differs from federal state to federal state. On 3<sup>rd</sup> January 2005, the total capacity of beds available in Germany amounted to 11,431, of which 4,382 were not occupied.

In detail, the situation is as follows:

<b>Federal State/Land</b>	<b>Town</b>	<b>Capacity of beds</b>
Baden-Württemberg	Karlsruhe	910
Bavaria	Munich	500
	Würzburg	500
	Zirndorf	500
Berlin	Berlin	500
Brandenburg	Eisenhüttenstadt	650
Bremen	Bremen	130
Hamburg	Hamburg	500
Hesse	Gießen	700

Mecklenburg-Western Pomerania	Horst	650
Lower Saxony	Braunschweig	400
	Oldenburg	400
North Rhine-Westphalia	Bielefeld	500
	Düsseldorf	350
Rhineland-Palatinate	Trier	700
Saarland	Lebach	742
Saxony	Chemnitz	758
Saxony-Anhalt	Halberstadt	1.200
Schleswig-Holstein	Lübeck	500
Thuringia	Eisenberg	341
	Total:	11,431

For several years, the number of asylum applications has been on the decline again. The 35,607 applications filed in 2004 correspond to the level reached in 1984. Against the backdrop of the relatively low occupation of the reception facilities at present, the length of accommodation might be longer than foreseen. Conversely, in case of a strong growth in the number of applicants, however, the reception capacity of the Federal Republic of Germany can be increased by a swift distribution of the asylum applicants to the federal states.

Due to the fluctuating number in the influx of asylum applicants, the average length of stay in the reception facilities cannot be stated. Moreover, it must be mentioned that each federal state sets its own political priorities which has influence on the length of stay in the facilities run by the federal states. According to § 47 of the Asylum Procedure Act, the obligation to live in an accommodation facility extends to a maximum length of up to three months. The system of maintaining reception facilities for the accommodation of asylum applicants for a limited period of time to subsequently allocate them to other facilities within the corresponding federal state or in another federal state, has proved successful in terms of flexibility and helps maintain the capacities for accommodating new applicants. Even in times of strongest demand it was possible to accommodate all asylum applicants.

### **3.3 Problems and Strengths of the Reception System**

The joint accommodation of a larger number of people of most different origins, cultures and religious beliefs usually goes along with problems. Moreover, a part of these persons

come from war or civil war zones, i.e. from countries of origin that are characterised by anarchy, insecurity, oppression, problems of an insufficient supply situation or poverty. Some are in need of protection against political persecution or inhuman treatments; all of them hope to find better living conditions. It is not always possible to avoid the emergence of tensions in the reception facilities. To provide these persons with accommodation, food and clothing, however, is the most decisive task to be fulfilled. The medical examination at the beginning of the stay in Germany allows to detect illnesses and even to avoid the outbreak of contagious diseases and epidemics. The persons do not depend on the help and support of private relief organisations but have to right to demand of the state the provision of services as prescribed by law (cf. Informationsverbund Asyl/ZDWF, Ratgeber: Soziale Beratung von Asylbewerbern, 2000 (Guide: Rendering social counselling to asylum applicants)).

#### **4. Social Situation in Accommodation Centres and Benefits of Asylum Applicants**

##### **4.1 Social Situation in Accommodation Centres and other Reception Facilities**

The situation in the accommodation centres varies from location to location, not least as regards the structure of the buildings. The spectrum ranges from accommodation centres that were build especially for the accommodation of refugees, all along to converted barracks. As far as possible, a joint accommodation of persons from the same country of origin is intended. In principle, single men and women are accommodated separately, spouses and families in shared rooms as far as possible.

The room sizes range from 10 – 12 m<sup>2</sup> for individual accommodation to a size of up to 20 m<sup>2</sup> for six persons. As regards leisure time facilities, there are social service centres offering different features such as cafes, recreational rooms with table-tennis tables and sports fields. In this area, there are also facilities operated by charitable institutions.

The provision of food to the individual accommodation centre varies from one region to another. Normally, municipal kitchens are in charge of preparing the meals for the asylum seekers. Religiously or ethnically related eating habits are taken into consideration as far as possible. Moreover, kitchenettes can be used. Some accommodation centres also provide food packages or ready-to-serve menus, which can be prepared by the asylum applicants themselves in self-service kitchens. The social situation of asylum applicants can be considered to be more or less similar in all facilities, even though there are differences from federal state to federal state.

## **4.2 Benefits of Asylum Applicants**

The benefits for asylum seekers are regulated on the basis of the Law governing the Benefits for Asylum Seekers of 5<sup>th</sup> August 1997, in its latest version amended by Article 8 of the Migration Act of 30<sup>th</sup> July 2004. Benefits are provided both in kind and as financial contributions. The need of applicants living in accommodation centres of food, heating, clothing, health and body care products as well as household utensils and consumables is covered by contributions in kind. If it is not possible to offer clothing, it can be provided also in the form of shopping vouchers. Household utensils can be used on a lending basis. Also for covering the need of goods and products to fulfil the official health and hygiene regulations, shopping vouchers can be provided. In addition, every asylum applicant is given a pocket money in cash. It amounts to 20 euros per month for children in the age between 7 and 14. From the age of 15, a monthly contribution of 40 euros is granted. When being accommodated outside an accommodation centre, shopping vouchers or cash payments in the amount of 184 euros per month for a head of household, and in the amount of 112 euros for household members up to the age of 7 can be granted in particular cases (cf. Gemeinschaftskommentar zum Asylbewerberleistungsgesetz (Joint Commentary on the Law governing Benefits for Asylum Seekers)).

## **4.3 Provision of Services**

When staying more than 3 months in Germany, children are offered access to the general system of education. Classes are attended at state schools and sometimes preparatory classes are offered for the children of aliens. Public language training courses are not offered during the asylum procedure, but are sometimes offered by charitable organisations.

Asylum applicants are given access to the labour market upon one year of the filing of the asylum application. However, work can be taken up only in case the work place cannot be filled with a German citizen, an EU national or other aliens having a preferred residence status. A work permit issued by the Labour Office is required. Exceptions to this rule are possible only in special hardship cases.

Legal advice free of charge is granted only to asylum applicants without means. An exception is only foreseen in case asylum applicants entering the country by air whose asylum application is rejected as manifestly unfounded and who had hence be denied entry. Special premises for rendering legal advice services are available at the airports. The costs for legal advice offered by lawyers are borne by the Federal Government.

Besides, there is also an important legal advice scheme offered throughout Germany that has been set-up by charitable organisations such as the German Caritas Association, the German Red Cross and the Diakonisches Werk in co-operation with the UNHCR (Marx, *Kommentar zum Asylverfahrensgesetz*, 2003 (Asylum Procedure Act, commentary)). About 70 lawyers and several hundreds of social workers render advice and support services also in legal matters. In addition, there are also local and religious initiatives and human rights organisations such as amnesty international that render legal advice services on a honorary basis.

The provision of medical care services starts with a medical examination on contagious diseases carried out by the Health Office. This is to fulfil the requirements stipulated in the Federal Infectious Disease Control Act. The remaining medical care services are provided on the basis of health insurance certificates which are issued by the Social Welfare Office on demand. For the treatment of acute illnesses and states of pain, the required medical or dental services including the required drugs and dressing material are offered (Goldmann/Schwabe, *Praxishandbuch zum Asylbewerberleistungsgesetz*, 1999 (Practical Manual on the Law governing the Benefits for Asylum Seekers)). Expectant mothers and women who have recently given birth are provided the medical and nursing care and services they are in need of. Psychotherapeutic care in cases such as traumatisation or suffered torture is provided individually by numerous privately initiated centres for psychosocial treatment or by charitable organisations such as Caritas and the Diakonisches Werk. Within the accommodation centres also child care services are offered and rendered particularly by internal kindergartens. Unaccompanied minors under the age of 16, however, are not accommodated in accommodation centres but are looked after individually by the Youth Welfare Office (Peter, *Das Recht der Flüchtlingskinder*, 2001 (The rights of refugee children)). Thus, they might be accommodated in facilities of the educational care service, in other facilities offering assisted living or in an institution providing full-time care. Since the parents of unaccompanied minors cannot exercise the care of the person of the child, a person acting as guardian or curator needs to be appointed for the legal representation the minors. All measures are taken and controlled by the Youth Welfare Office in charge. At first, the Youth Welfare Office undertakes a qualified expert analysis of the minor's personal situation. Then, the further whereabouts of the minor are decided about. The first choice is to accommodate the minor with acquainted or related countrymen that have been found suitable. If this turns out not to be possible, the minor is admitted to a facility of the Child Welfare. Both the application for accommodation and the asylum application will then be filed having legal effect by the person appointed as guardian. Unaccompanied minors having reached the age of 16 are

accommodated in accommodation centres. Disabled persons are assisted directly in the accommodation centres. The centres are adapted to the needs of disabled persons. However, the standards offered are different in the individual federal states. For elderly asylum applicants, no particular support or care is offered, just as for single parents of minors. For persons who are victims of torture, rapes and psychological or sexual violence, numerous charitable organisations and institutions of the churches render valuable assistance. (Informationsverbund Asyl/ZDWF, Ratgeber: Soziale Beratung von Asylbewerbern, 2000 (Guide: Rendering social counselling to asylum applicants)).

#### **4.4 Duties**

Asylum applicants can freely move within an outside the accommodation centre and the shared accommodation facilities. They have, however, no right to claim to live in a specific federal state or at a specific place. During the time of the asylum procedure, the place of habitual abode of the asylum seeker is in principle limited to the district of the Aliens Department in charge. Provided the consent of the Aliens Department, however, the asylum seeker is allowed to leave the place of abode he or she has been allocated to in order to visit a medical specialist, for instance (Marx, Kommentar zum Asylverfahrensgesetz, 2003 (Asylum Procedure Act, commentary)).

During the time asylum seekers are obliged to live in an accommodation centre, they are required to stay within reach for the competent authorities and courts

#### **5. Other Approaches**

Other procedures of fundamental nature regarding the conditions of receiving asylum seekers in Germany are currently not under public or political discussion.